

**In the United States District Court
for the Southern District of Georgia
Waycross Division**

DAVID CHAVEZ ORTIZ,

Petitioner,

v.

DEPARTMENT OF HOMELAND
SECURITY,

Respondent.

5:23-cv-81


ORDER

After an independent and de novo review of the entire record, the Court concurs with the Magistrate Judge's Report and Recommendation. Dkt. No. 18. Petitioner David Ortiz ("Ortiz") did not file Objections to this Report and Recommendation, and the time to do so has elapsed. In fact, the Court's mailing was returned as undeliverable, with the notation: "Return to Sender, No Longer Here" and "Return to Sender, Not Deliverable as Addressed, Unable to Forward." Dkt. No. 19 at 1.

Thus, I **ADOPT** the Report and Recommendation as the opinion of the Court, **GRANT as unopposed** Respondent's Motion to Dismiss, and **DISMISS without prejudice** Ortiz's 28 U.S.C. § 2241 Petition for failure to follow this Court's Orders and Local Rules. I also **DIRECT** the Clerk of Court to **CLOSE** this case and enter the

appropriate judgment of dismissal and **DENY** Ortiz *in forma pauperis* status on appeal.

SO ORDERED, this 5 day of February, 2024.



HON. LISA GODBEY WOOD, JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA